



General Assembly

February Session, 2004

Amendment

LCO No. 3177

HB0542003177HDO

Offered by:

REP. MCMAHON, 15th Dist.
REP. HEAGNEY, 16th Dist.
REP. GIANNAROS, 21st Dist.
REP. BOUKUS, 22nd Dist.
REP. MICHELE, 77th Dist.
REP. GREEN, 1st Dist.
REP. GONZALEZ, 3rd Dist.
REP. MANTILLA, 4th Dist.
REP. KIRKLEY-BEY, 5th Dist.
REP. FELTMAN, 6th Dist.
REP. CARTER, 7th Dist.
REP. LEWIS, 8th Dist.
REP. STONE, 9th Dist.
REP. CURREY, 10th Dist.
REP. CHRIST, 11th Dist.
REP. KERENSKY, 14th Dist.
REP. WITKOS, 17th Dist.
REP. FLEISCHMANN, 18th Dist.
REP. FARR, 19th Dist.
REP. MCCLUSKEY, 20th Dist.

REP. O'BRIEN, 24th Dist.
REP. GERAGOSIAN, 25th Dist.
REP. TERCYAK, 26th Dist.
REP. DOYLE, 28th Dist.
REP. PETERS, 30th Dist.
REP. PAWELKIEWICZ, 49th Dist.
REP. CARDIN, 53rd Dist.
REP. SAWYER, 55th Dist.
REP. JANOWSKI, 56th Dist.
REP. GRAZIANI, 57th Dist.
REP. MINER, 66th Dist.
REP. HAMZY, 78th Dist.
REP. DIAMANTIS, 79th Dist.
REP. MARTINEZ, 128th Dist.
REP. JOHNSTON, 51st Dist.
REP. DAVIS, 50th Dist.
REP. MANN, 140th Dist.
REP. THOMPSON, 13th Dist.
REP. SAYERS, 60th Dist.
REP. GODFREY, 110th Dist.

To: Subst. House Bill No. **5420**

File No. 407

Cal. No. 280

"AN ACT CONCERNING ENERGY SECURITY."

1 After the last section, add the following and renumber sections and

2 internal references accordingly:

3 "Sec. 501. Subdivision (1) of subsection (d) of section 16-331 of the
4 general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2004*):

6 "(d) (1) An initial certificate issued prior to June 1, 1988, shall grant a
7 franchise for fifteen years, provided that for certificates issued prior to
8 January 1, 1975, the initial franchise term shall be deemed to end for
9 four such companies each year, starting in 1989, in order of those
10 companies having the highest gross revenues under chapter 211 or
11 212a during the calendar year ending December 31, 1982. An initial,
12 renewal or transfer certificate issued on or after June 1, 1988, shall
13 grant a franchise for a term of not less than five years and not more
14 than ten years, except that under special circumstances, as described in
15 subdivision (2) of this subsection, a franchise may be granted for a
16 term of more than ten years but not more than fifteen years, and except
17 that the department shall not renew a franchise for a term of more than
18 three years if the operator does not offer the Connecticut Television
19 Network in its basic service package. The department shall have the
20 discretion to determine the appropriate length of a franchise term,
21 initial, renewal or transfer, and in making its decision shall consider
22 the following without limitation: (A) The operator's past performance
23 in terms of meeting the needs of the cable-related community; (B) the
24 operator's past performance in terms of complying with the material
25 terms of the existing franchise; (C) the operator's compliance with
26 department regulations and the general statutes; (D) the ability of the
27 operator's management to properly operate the franchise; (E) the
28 operator's effectiveness in dealing with consumer requests, complaints
29 and billing questions or disputes; (F) the operator's effectiveness in
30 dealing with the advisory council; (G) the quality and diversity of the
31 operator's programming; (H) the quality of the operator's community
32 access programming, including public access, educational access and
33 governmental access programming, in accordance with the provisions
34 of subdivision (3) of this subsection; (I) the quality of the operator's
35 equipment and facilities; (J) the operator's proposals for future

36 extensions and upgrading to technologically advanced equipment,
37 facilities and systems; (K) the operator's past performance in terms of
38 meeting the needs of the cable-related community by providing
39 African-American and Hispanic programming; (L) the operator's good
40 faith efforts, as determined by the department, to provide service,
41 when practicable, to all customers within the service area; (M) the
42 operator's past performance in making available addressable
43 converters, traps or other devices or services which enable subscribers
44 to voluntarily block transmission of specific programming to their
45 homes or places of business; and (N) the applicant's provision of
46 innovative services, including audio services, information services,
47 electronic publishing and information concerning the proceedings of
48 the General Assembly and legislative committees."